

IDAHO BARBER AND COSMETOLOGY SERVICES LICENSING BOARD
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/9/2021

BOARD MEMBERS PRESENT: Debra J Thompson - Chair
Merrilyn Cleland
Geneal Thompson
Thomas E Grimsman
Wendy S Rucker
Brian Porter
Lindy High

DIVISION STAFF: Anne Lawler, Bureau Chief
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Eric Nelson, Board Prosecutor
Nicholas Krema, General Counsel
Cesley Metcalfe, Team Lead
Allegra Earl, Board Specialist

OTHERS PRESENT: Lance Giles, Giles Group LLC
Margarita Castellanos, Salon Professionals
Academy

The meeting was called to order at 8:05 AM MDT by Debra J Thompson.

INTRODUCTION

Ms. Lawler introduced herself to the Board. She said that she served as the Executive Director of the Board of Medicine for the last six (6) years. She stated that she was excited to work with the Board and to learn their profession.

APPROVAL OF MINUTES

Mr. Grimsman made a motion to approve the minutes of 06/07/2021. It was seconded by Ms. G Thompson. Motion carried.

LAWS AND RULES

Mr. Krema gave the legislative update. He said that three (3) pieces of legislation passed the Legislature and were signed by the Governor to consolidate the free-standing licensing Boards in the state. The Board's rules are temporary because the Legislature failed to pass a concurrent resolution.

DIVISION UPDATE

Ms. Lawler gave the Division update. She reviewed the sections of the Division and said that as of July 1st a new law went into effect combining the financial departments for all of the boards within the Division. She said that she would be point of contact for the Board along with the staff that the Board has worked with.

BOARD BUSINESS

PUBLIC COMMENT

Ms. Castellanos asked the Board for clarification regarding Idaho § 54-5815 (1) (n) which states "Offer school hours for the purpose of instruction on at least five (5) days per week." The Board stated that the law is very clear and that the school must be open for instruction 5 days a week.

CONFERENCE ATTENDANCE REQUESTS

Ms. Rucker made a motion for a Board member and appropriate staff member to attend the Executive Directors Summit in Chicago, Illinois, and for all travel expenses, to be covered. It was seconded by Mr. Grimsman. Motion carried

NATIONAL INTERSTATE COUNCIL OF STATE BOARDS OF COSMETOLOGY (NIC) DUES

Ms. G Thompson made a motion to pay the membership dues to NIC. It was seconded by Ms. High. Motion carried.

CORRESPONDENCE

The Board reviewed an email from Ms. Klinger regarding licensure of permanent makeup. The Board directed the Division to respond that she should contact her local legislator.

The Board reviewed an email from Mr. Coulter regarding issues with scheduling examinations. The Board directed the Division to respond that his email would be passed on to DL Roope and that the Board is looking into it.

DISCIPLINE

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Cleland made a motion to approve the Division's recommendation and authorize closure in case number I-BCB-2021-226. It was seconded by Ms. Rucker. Motion carried.

Ms. Cleland made a motion to approve the Division's recommendation and authorize closure with a warning letter in case numbers: I-BCB-2021-197; I-BCB-2021-221; I-BCB-2021-235; I-BCB-2021-244; and I-BCB-2021-252. It was seconded by Ms. Rucker. Motion carried.

EXECUTIVE SESSION

Ms. Cleland made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. G Thompson. The vote was: Ms. D Thompson, aye; Ms. Cleland, aye; Mr. Grimsman, aye; Ms. G Thompson, aye; Ms. Rucker, aye; Mr. Porter, aye; and Ms. High, aye. Motion carried

Ms. G Thompson made a motion to come out of executive session. It was seconded by Ms. Rucker. Motion carried.

DISCIPLINE

Ms. Rucker made a motion to close case number I-BCB-2021-150 with an advisory letter. It was seconded by Mr. Grimsman. Motion carried.

Mr. Nelson presented Stipulation and Consent Orders in case numbers: BCB-2021-74/75; BCB-2021-83; BCB-2021-93/94; BCB-2021-112; BCB-2021-117; BCB-2021-123; BCB-2021-139/140; and BCB-2021-178. Ms. High made a motion to approve the Consent Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Porter. Motion carried.

Mr. Nelson presented Finding of Facts, Conclusions of Law and Final Orders in case numbers BCB-2021-90; BCB-2021-97/98/99; and BCB-2021-136/137. Ms. High made a motion to approve the Final Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Porter. Motion carried.

Ms. Peel presented Settlement Orders in case numbers: BCB-2021-181/182; BCB-2021-184/185; BCB-2021-189; BCB-2021-190/191; BCB-2021-192/193; BCB-2021-196; BCB-2021-198/199; BCB-2021-200/201; BCB-207; BCB-210/211; BCB-2022-4; and BCB-2022-5. Mr. Grimsman made a motion to approve the Settlement Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. G Thompson. Motion carried.

EXECUTIVE SESSION

Mr. Porter made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Rucker. The vote was: Ms. D Thompson, aye; Ms. Cleland, aye; Mr. Grimsman, aye; Ms. G Thompson, aye; Ms. Rucker, aye; Mr. Porter, aye; and Ms. High, aye. Motion carried

Ms. Rucker made a motion to come out of executive session. It was seconded by Ms. G Thompson. Motion carried.

APPLICATIONS

Ms. Cleland made a motion to table the following pending receipt of additional information:

901185300

It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to accept the changes to the curriculum and catalog requests from Evans Hairstyling College and Milan Institute of Cosmetology. It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to accept the change to the curriculum and catalog request from Academy of Cosmetology. It was seconded by Mr. Grimsman. Motion carried. Ms. D Thompson was recused.

NEXT MEETING was scheduled for September 13, 2021, at 8:00 AM MDT.

ADJOURNMENT

Mr. Grimsman made a motion to adjourn the meeting at 9:55 AM MDT. It was seconded by Ms. Cleland. Motion carried.

Debra J Thompson, Chair